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10/015,282	12/12/2001	Michael Wayne Brown	AUS920010822US1	7035

7590 06/30/2004
Biggers & Ohanian
5 Scarlet Ridge
Austin, TX 78737

EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,282

Applicant(s)

BROWN ET AL.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-59 are rejected under **35 U.S.C. 102(e)** as being clearly anticipated by U.S.

Patent No. 6,614,885 by Polcyn.

Regarding claim 1, Polcyn discloses a method for externally identifying a particular callee (see Figure 1), said method comprising: receiving a voice utterance for a callee at a server external to a trusted telephone network, wherein said trusted telephone network is processing a call to said callee; and identifying a callee identity associated with said voice utterance at said server or voice recognition system (Figure 1, 30), such that said callee identity is inherently transmittable as an authenticated identity of said callee for a call (column 3, line 46 – column 4, line 36).

Regarding claim 2, the method for externally identifying a particular callee according to claim 1 mentioned above, wherein Polcyn further discloses receiving a voice utterance further comprises: inherently receiving said voice utterance through a secure channel between said server and said trusted telephone network (column 4, lines 1-46).

Regarding claim 3, the method for externally identifying a particular callee according to claim 1 mentioned above, wherein Polcyn further discloses said trusted telephone network brokers, via the remote site or call director (Figure 3, 12-N), said call between said callee and said server (column 4, lines 14-18).

Regarding claim 4, the method for externally identifying a particular callee according to claim 1 mentioned above, wherein Polcyn further discloses said trusted telephone network comprises at least one public switching telephone network (see Figure 1, 13; column 3, lines 46-51).

Regarding claim 5, the method for externally identifying a particular callee according to claim 1 mentioned above, wherein Polcyn further discloses said trusted telephone network comprises a private switching system (Figure 3, 31) via a telephone line (Figure 3, 201b-N) (column 5, lines 51-58; column 6, lines 5-17).

Regarding claim 6, the method for externally identifying a particular callee according to claim 1 mentioned above, wherein Polcyn further discloses the method comprising: enabling communication between said server and said trusted telephone network via a network comprising at least one from among an Intranet, the Internet, and a private network connection (column 4, lines 14-21).

Regarding claim 7, Polcyn discloses a system for externally identifying a particular callee, comprising: a network communicatively connected to a trusted telephone network (column 5, line 51 – column 6, line 4); a telephone service server or voice recognition system (Figure 3, 30) communicatively connected to said network; means for receiving a voice utterance for a callee of a call transferred from said trusted telephone network to said telephone service

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server via said network; and means for identifying a callee identity associated with said voice utterance at said telephone service server (column 5, line 51 – column 7, line 5).

Regarding claim 8, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said trusted telephone network (Figure 3, 13) brokers said call between said callee and said telephone service server (Figure 3, 30; column 5, line 51 – column 6, line 4).

Regarding claim 9, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said means for receiving a voice utterance further comprises: means for inherently receiving said voice utterance through a secure channel between said telephone service server and said trusted telephone network (column 5, line 51 – column 6, line 4).

Regarding claim 10, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said trusted telephone network comprises at least one public switching telephone network (see Figure 3, 13; column 5, lines 51-58).

Regarding claim 11, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said trusted telephone network comprises a private switching system (Figure 3, 31) via a telephone line (Figure 3, 201b-N) (column 5, lines 51-58; column 6, lines 5-17).

Regarding claim 12, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said network comprises at least one

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of an Intranet, the Internet, and a private network connection (column 5, line 51 – column 6, line 4).

Regarding claim 13, the system for externally identifying a particular callee according to claim 7 mentioned above, wherein Polcyn further discloses said network inherently operates independent of said trusted telephone network (column 5, line 51 – column 6, line 4).

Regarding claim 14, Polcyn discloses a computer program product for externally identifying a particular callee, said computer program product comprising: a recording medium or voice recognition application (Figure 3, 32); means, recorded on said recording medium, for receiving a voice utterance for a callee at a server or voice recognition system (Figure 3, 30) external to a trusted telephone network (Figure 3, 13), wherein said trusted telephone network is processing a call to said callee; and means, recorded on said recording medium, for identifying a callee identity associated with said voice utterance at said server, such that said callee identity is inherently transmittable as an authenticated identity of said callee for a call (column 6, lines 49-65).

Regarding claim 15, the computer program product for externally identifying a particular callee according to claim 14 mentioned above, wherein Polcyn further discloses: means, recorded on said recording medium, for inherently receiving said voice utterance through a secure channel between said server and said trusted telephone network (column 6, lines 49-65).

Regarding claim 16, the computer program product for externally identifying a particular callee according to claim 14 mentioned above, wherein Polcyn further discloses: means, recorded on said recording medium, for enabling communication between said server and said

trusted telephone network via a network comprising at least one from among an Intranet, the Internet, and a private network connection (column 4, lines 14-21).

Regarding claim 17, Polcyn discloses a method for specifying telephone services for a particular callee, comprising: inherently detecting a call receipt condition from a destination device at a trusted telephone network; brokering a connection between said destination device and an external server or voice recognition system (Figure 1, 30), enabled to perform a callee identity authentication service; and responsive to receiving, from said external server, an authenticated callee identity of a callee utilizing said destination device, specifying services available to said callee (e.g. answering a call in a foreign language) according to said authenticated callee identity (column 5, line 51 – column 7, line 40).

Regarding claim 18, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses said server is accessible via a network outside said trusted telephone network (column 4, lines 14-21; see Figure 1).

Regarding claim 19, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses inherently retrieving a callee profile for said authenticated callee identity; and specifying a selection of services from among a plurality of services that are offered for said call according to said callee profile, e.g. a service that is offered depending on what department the callee is in or a service depending on what language the callee speaks (column 6, line 41 – column 7, line 40).

Regarding claim 20, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses said authenticated callee identity is inherently authenticated by a voice utterance of said callee (column 6, line 49-61).

Regarding claim 21, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses brokering a connection further comprises: inherently transmitting a request for said callee identity authentication service via a signal gateway (Figure 3, 201b-N) to a network for accessing said external server; responsive to receiving access to said callee identity authentication service, transferring said call to said external server (column 5, line 51 – column 6, line 4); transferring a prompt for a voice utterance, received from said external server via a media gateway (Figure 3, 34), to said destination device via the remote site (Figure 3, 12-N); transferring a voice utterance by said callee through said media gateway (Figure 3, 202-N) to said network for accessing said external server (column 5, lines 25-30); and receiving said authenticated callee identity via said signal gateway at said trusted telephone network (column 6, lines 14-40; column 6, line 62 – column 7, line 5).

Regarding claim 22, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses brokering a connection further comprises: inherently brokering a secure connection between said trusted telephone network and said external server (column 4, lines 1-46).

Regarding claim 23, the method for specifying telephone services according to claim 17 mentioned above, wherein Polcyn further discloses brokering a connection between an origin device accessible to said caller and said external service, such that said caller is enabled to listen to authentication of said callee identity, wherein the callee can inherently state their identity to the caller upon answering the call or the identity can be revealed to the caller via an operator who transfers the caller to said callee (column 5, line 51 – column 7, line 41).

Regarding claims 24-30, please refer to the method mentioned in claims 17-23 to justify the system in claims 24-30, respectively.

Regarding claim 31, Polcyn discloses a computer program product inherently for specifying telephone services for a particular callee (column 7, lines 12-40), comprising: a recording medium or voice recognition application (Figure 3, 32); means, recorded on said recording medium, for inherently detecting a call receipt condition from a destination device at a trusted telephone network (column 6, lines 57-61); means, recorded on said recording medium, for brokering a connection device, via the remote site or call director (Figure 3, 12-N), between said destination and an external server or voice recognition system (Figure 3, 30) enabled to inherently perform a callee identity authentication service; and means, recorded on said recording medium, for inherently specifying services available to said callee according to an authenticated callee identity received from said external server, e.g. locating a callee that can speak a foreign language (column 5, line 51 – column 7, line 41).

Regarding claim 32, Polcyn discloses a method for informing a caller of a callee identity, comprising: inherently detecting a call receipt condition from a destination device at a trusted telephone network (column 6, lines 57-61); brokering a connection, via the remote site or call director (Figure 3, 12-N), between said destination device and an external server or voice recognition system (Figure 3, 30) enabled to inherently perform a callee identity authentication service; and responsive to receiving, from said external server, an authenticated callee identity of a callee utilizing said destination device, transferring said authenticated callee identity to an origin device, such that a caller initiating said call at said origin device is informed of an identity of a party answering said call, wherein the callee can inherently state their identity to the caller

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upon answering the call or the identity can be revealed to the caller via an operator who transfers the caller to said callee (column 5, line 51 – column 7, line 41).

Regarding claim 33, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: inherently filtering content of said authenticated callee identity before transfer to said origin device (column 6, line 49 – column 7, line 40).

Regarding claim 34, the method for informing a caller of a callee identity according to claim 33 mentioned above, wherein Polcyn further discloses the method comprising: inherently filtering content of said authenticated callee identity according to filtering preferences associated with said authenticated callee identity, e.g. the callee speaks French (column 6, line 49 – column 7, line 40).

Regarding claim 35, the method for informing a caller of a callee identity according to claim 33 mentioned above, wherein Polcyn further discloses the method comprising: inherently filtering content of said authenticated callee identity according to an identity of said caller, e.g. the caller is located in Canada and speaks French (column 7, lines 12-40).

Regarding claim 36, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: filtering said authenticated callee identity to inherently block at least a portion of the content of said authenticated callee identity, e.g. the last name of the callee is not disclosed (column 7, lines 12-40).

Regarding claim 37, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: detecting a

line number utilized to access said destination device; and inherently transferring said line number with said authenticated callee identity to said origin device (column 6, lines 49-61).

Regarding claim 38, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: inherently detecting a line number utilized to access said destination device; and blocking said line number from transfer to said origin device with said authenticated callee identity, if control is passed to a live agent and agent determines that callee is not available or does not want to take this call (column 6, line 49 – column 7, line 40).

Regarding claim 39, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: inherently detecting a call forwarded from a first line number (agent) to a second line number (callee); and transferring an indicator to said origin device with said authenticated callee identity that said call is forwarded to said second line number, wherein an agent can inherently indicate to caller that call is being transferred to callee (column 5, lines 39-50; column 6, lines 14-17).

Regarding claim 40, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: inherently detecting a call transferred from a first line number (agent) to a second line number (callee) during a call; and brokering a connection via the remote site or call director (Figure 3, 12-N) between a current destination device and an external server or voice recognition system (Figure 3, 30) accessible via said second line number and an external server enabled to perform a callee identity authentication service; and responsive to receiving, from said external server, a current authenticated callee identity of a current callee utilizing said current destination device,

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transferring said current authenticated callee identity to said origin device to update said caller, wherein an agent can inherently indicate to caller that call is being transferred to callee (column 5, line 39 – column 7, line 40).

Regarding claim 41, the method for informing a caller of a callee identity according to claim 32 mentioned above, wherein Polcyn further discloses the method comprising: brokering a connection between said destination device and said external server periodically throughout said call to authenticate said callee identity; responsive to receiving, from said external server (this could also be done via the agent), a current authenticated callee identity differing from a previously received authenticated callee identity, transferring said current authenticated callee identity to said origin device to update said caller that the identity of the callee has changed, wherein the previously received authenticated callee identity is inherently not available within a department (column 5, line 39 – column 7, line 40).

Regarding claims 42-51, please refer to the method mentioned in claims 32-41 above to justify the system in claims 42-51, respectively.

Regarding claim 52, Polcyn discloses a computer program product for informing a caller of a callee identity, comprising: a recording medium; means, recorded on said recording medium or voice recognition application (Figure 3, 32), for inherently detecting a call receipt condition from a destination device, via the remote site or call director (Figure 3, 12-N), at said trusted telephone network; means, recorded on said recording medium, for brokering a connection between said destination device and an external server or voice recognition system (Figure 3, 30) enabled to perform a callee identity authentication service; and means, recorded on said recording medium, for inherently transferring an authenticated callee identity received from said

external server to an origin device to inform a caller initiating said call at said origin device of an identity of a party answering said call, wherein the callee can inherently state their identity to the caller upon answering the call or the identity can be revealed to the caller via an operator who transfers the caller to said callee (column 5, line 51 – column 7, line 41).

Regarding claims 53-59, the computer program product mentioned in claim 52 above, wherein please see the rejections for claims 33-39, to reject the computer program product in claims 53-59. Wherein Polcyn further discloses the recording medium or voice recognition application (Figure 3, 32) is located in the external server or voice recognition system (Figure 3, 30).

Response to Amendment

3. Acknowledgement is made of the correction to claim 30 that was cited as a 35 U.S.C. 112 rejection in the Amendment received on December 4, 2003. The correction has been accepted.

4. In response to the remarks (pages 1-13), of the Amendment filed on April 21, 2004, applicant argues that the Polcyn reference fails to disclose “a method for externally identifying a particular callee”, “receiving a voice utterance for a callee at a server external to a trusted telephone network”, “identifying a callee identity associated with said voice utterance at said server”, or a “callee identity [that] is transmittable as an authenticated identity of said callee for a call”. The examiner disagrees with applicant.

The cited reference clearly anticipates the claimed invention. Polcyn clearly discloses a method for externally identifying a particular callee, e.g. the name of a department or individual to whom a caller would like to be connected (column 4, lines 1-8), wherein a caller calls a local retail service to request information about a particular product or service. The method further

comprises: receiving a voice utterance for a callee, wherein the caller speaks the name of the department or individual at a server or call director external to a trusted telephone network or switched public telephone network (SPTN) (column 3, lines 46-67; column 4, lines 1-18). The call director (Figure 1, 102-N) is external to the SPTN (Figure 1, 13) as shown in Figure 1. The method further comprises: identifying a callee identity associated with said voice utterance at said server, wherein said voice utterance is digitized and transmitted to a central voice recognition system via SPTN. A voice recognition system identifies the callee identity associated with said voice utterance (column 4, lines 14-40). Polcyn further discloses a callee identity [that] is transmittable as an authenticated identity of said callee for a call, wherein the voice recognition system must recognize the callee identity as part of a directory in order for the call to be connected between a caller and a callee. Wherein if said utterance is not recognizable, the call is transferred to an operator (column 3, line 46 – column 4, line 36).

In conclusion, the elements of the claimed invention is well met by the cited reference above. Polcyn clearly discloses: a) specifying telephone services for a particular callee, wherein a callee receives a call from a caller or customer; b) trusted networks (SPTN); and c) detecting call receipt conditions. Please see all rejections and the response above.

5. Applicant's arguments with respect to claim 1-59 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or

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relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh

June 22, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a large, stylized loop at the end.